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September 30, 2020

**VIA CM/ECF**

The Honorable Leonard P. Stark  
United States District Court  
844 North King Street, Unit 26  
Wilmington, DE 19801

Re: *Sunoco Partners Marketing & Terminals L.P. v. Powder Springs Logistics, LLC,*  
*et al.*, C.A. No. 17-1390-LPS-CJB

Dear Chief Judge Stark:

Pursuant to the Court's September 8, 2020 Oral Order (D.I. 608), I write on behalf of Plaintiff Sunoco Partners Marketing & Terminals L.P. ("Sunoco") and Defendants Powder Springs Logistics, LLC ("PSL") and Magellan Midstream Partners, L.P. ("Magellan") (collectively, "Defendants") to provide the Court with the parties' joint status report, in advance of the Court's status teleconference with the parties scheduled for October 2, 2020 at 9:30 am ET.

**Sunoco's Position**

It is Sunoco's understanding that the Court is currently conducting only one jury trial at a time with priority given to criminal trials, making it unclear when the Court may have availability for a jury trial in this case. As such, Sunoco respectfully requests guidance from the Court as to when the Court believes a jury trial in this case may be set, whether such guidance may be provided prior to or during the teleconference.

Sunoco also respectfully requests guidance as to what limitations, if any, the Court believes would be imposed on the parties (e.g., limits on the number of attorneys and/or representatives per side, whether witnesses will be permitted to testify live or will be required to testify remotely, etc.). Depending on what limitations are imposed, Sunoco may have concerns regarding the ability to conduct a fair jury trial, as previously explained. *See* D.I. 590, Sunoco Letter (July 10, 2020).

Finally, upon receiving notice this afternoon of Defendants' availability for trial on October 26 to November 3 (discussed in Defendants' section below), Sunoco contacted its fact and expert witnesses to determine their availability. Sunoco was unable to confirm whether or not its witnesses are available on these dates before submitting this letter, but expects to have confirmation by the time of the teleconference.

**Defendants' Position**

Defendants also seek the Court's guidance as to when a trial date will be available, and what particular trial presentation restrictions the Court anticipates having in place. The Defendants have confirmed their witnesses could participate in a trial scheduled for October 26 to Nov 3.

Respectfully submitted,

*/s/ John C. Phillips, Jr.*

John C. Phillips, Jr. (No. 110)